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American Samoa

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I. General

1. American Samoa is a Non-Self-Governing Territory administered by the United States of America under the Department of the Interior, which has a representative resident on the ground. The Territory is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of seven islands namely Tutuila, Aunuu, Ofu, Olosega and Tau, known as the Manu'a Islands, and Swains and Rose, two coral atolls, as well as several lesser islands. The total land area is 197 square kilometres, about 70 per cent of which is covered by dense forest. Tutuila, where Pago Pago, the capital, is located, is the largest island; it constitutes 70 per cent of the total land area and is home to 99 per cent of the population.

2. For 2007, the population of American Samoa was estimated to be 68,900, with a median age of -21 and an estimated sex ratio of 1.06 males per female. The estimated net migration rate is approximately -21 per thousand population.[1] As previously reported, some 70,000 Samoans live outside the Territory.

3. Ethnically, the population is 89 per cent Samoan/Polynesian. Congregationalist Protestant denominations are practised by 80 per cent of the people, and some 20 per cent are Roman Catholic. Most American Samoans are bilingual, speaking the native Polynesian tongue and English.

II. Constitutional, legal and political issues

4. It is generally believed that the Samoan archipelago was settled some 3,000 years ago by people migrating into the Pacific from South-East Asia. The Dutch were the first Europeans to find these islands, in 1722. Some settlers came to the islands in the early 1800s, followed by missionaries in 1830. By the late 1800s, internal strife among the chiefs and struggles among the colonial Powers of Germany, Great Britain and the United States of America led to a period of instability. Deeds of cession of these islands to the United States stemming from the early 1900s were formally accepted by means of an Act of Congress on 20 February 1929. Pursuant to that Act, the native inhabitants were given the status of American nationals. The Act provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States. As the American interest in the area had been mainly military, the Territory was placed under the jurisdiction of the United States Navy. In 1951, the United States President Executive Order 10264 transferred administrative responsibility for the Territory to the Department of the Interior.

5. American Samoa is an "unincorporated and unorganized" Territory under United States law. Not all provisions of the United States Constitution apply. Residents of American Samoa are not United States citizens. They are United States nationals who can freely enter the United States and work or reside anywhere they choose. Children born in the Territory to foreign parents become citizens of either

Note: The information contained in the present working paper has been derived from published sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations.

[1] Information provided by the administering Power, on 15 January 2008.

the mother's or the father's country of origin, not United States nationals. American Samoans may not vote in the United States general elections, but are permitted to participate in presidential primaries and caucuses.

6. The Constitution of American Samoa, adopted in 1960, was revised in 1967 and subsequently amended in 1970 and 1977. Any amendments or modifications to the Constitution of American Samoa (as approved by the Secretary of the Interior) may be made only by an Act of the United States Congress.

7. The Territory's Constitution provides for separate executive and legislative branches and an independent judiciary. The executive branch comprises a Governor and a Lieutenant-Governor elected for four-year terms by universal adult suffrage. All American Samoans over 18 years of age are eligible to vote. The Governor is responsible for executing both American Samoan and United States laws and has veto power with respect to legislation passed by the Fono, the American Samoa Legislature.

8. In 1977, the people of American Samoa for the first time elected the Governor. The current Governor, Togiola T. A. Tulafano was elected in 2004. Ipulasi A. Sunia was elected Lieutenant-Governor at the same time. These terms of office will expire in November 2008, when the next elections are due to be held. In September 2007, Lieutenant-Governor Sunia was taken into custody by the FBI, and later released, in connection with contracts related to the Territory's Department of Education. Pending further legal action, Mr. Sunia, who entered a "not guilty" plea in federal court in Washington, D.C., continues to serve as Lieutenant-Governor.[2]

9. The Fono is a bicameral legislature, which is comprised of an 18-member Senate whose members are chosen by 14 tribal councils, and a 21-member House of Representatives, 20 of whom are elected by popular vote and one of whom is appointed as a non-voting delegate from Swains Island. Only a "matai", the traditional chief of an extended family, can become a senator. Senators hold office for a four-year term and representatives for a two-year term. The Fono may pass laws with respect to all local affairs, provided they are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements.

10. Since 1981, American Samoa has elected by direct vote a delegate to the United States House of Representatives for a two-year term. The delegate may vote only in committees. The current delegate, Congressman Eni F. H. Faleomavaega, was re-elected for a tenth consecutive two-year term in November 2006.

11. The judiciary system consists of the High Court, with the Chief Justice and the Associate Justices appointed by the United States Secretary of the Interior, and the local district and village courts, with the judges appointed by the Governor. The High Court is separated into Appellate, Trial and Land and Titles divisions. Since American Samoa is not part of a United States federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court to a federal district court. American Samoa laws are textually identical to United States laws ("mirror laws"), where all references to the United States are substituted by references to American Samoa.

[2] *Samoa News*, 10 September and 24 October 2007 and 5 January 2008.

12. In order to study alternative forms of political status practices in the Territory's relationship with the United States, the Future Political Status Study Commission was established in 2006 under the Territory's Public Law 29-6, amended by Public Law 29-24 and Public Law 29-25. The Commission's final report, written in both English and Samoan, was submitted to the Governor, President of the Senate, Speaker of the House of Representatives and the Chief Justice of the High Court on 31 December 2006. Copies of the final report were made available to the public in January 2007, including on the Internet.[3] The ultimate decision on status is to be made by the people of American Samoa.[1]

13. In drawing up its findings and 27 recommendations, the Commission was cognizant of the views of the general public of American Samoa. It found that "the Samoan public, from leaders to the rank and file, both on and off-island, overwhelmingly emphasized two major points: (a) American Samoa must remain part of the American family of states and territories; and (b) be certain that a chosen status will not adversely affect customs and culture, and the perpetuation of the Samoan language".[4]

14. Among its conclusions, the Commission highlighted as its "main recommendation" that "American Samoa shall continue as unorganized and unincorporated territory and that a process of negotiation with the U.S. Congress for a permanent political status be initiated".[5] In that connection, and flagging the issue as "the most important finding of the Commission study", the report noted that a specially tailored Act of Congress would be needed to reaffirm the special protective provisions for lands and titles in the Constitution of American Samoa and that such an Act could be passed without changing the present political status.[5]

15. Under a section entitled "Public concerns", the report made the following recommendation with regard to "United Nations and the colony designation": "The Commission has determined that American Samoa's designation by the United Nations as a non-self-governing territory is inconsequential in determining any future political status, and recommends that the Territory move forward regardless of the U.N. designation". On the question of "Public education on political status", the Commission went on to say that it had discovered during its recent study a need to increase public awareness of political status and related issues. Inasmuch as the final decision on a political status rested with the people, the Commission found that it was imperative that they should be well informed. The Commission therefore recommended that "the American Samoa Government develop a public awareness programme on the political status of the territory."[6]

16. At a public hearing on the Commission's report held by the Fono on 15 November 2007, according to local media there was strong support for the recommendation that American Samoa maintain its current political relationship with the United States. Also, the more than 60 people attending the hearing called for local leaders to move on the report's recommendation that a process of negotiation be initiated with the United States Congress for a permanent political status. One speaker believed that the best way to expedite a future form of government was to put the matter of future status to a referendum during the 2008

[3] http://www.americansamoa.gov.

[4] Report on the Future Political Status Study Commission of American Samoa, p. 42, http://www.americansamoa.gov/fpssc/fpssc_text.pdf.

[5] Ibid., p. 43.

[6] Ibid., p. 58.

general election. It was clear from the opinions voiced at the four-hour hearing that independence was not an option sought by those who participated. At the end of the hearing, it was recommended that the Commission carry out an education programme to explain their report to the public before the Governor convoked a constitutional convention.[7]

17. It was later indicated in the local media that the Governor was expected to call a public forum to gather information on the status question.[8]

18. On 14 January 2008, in its State of the Territory Address before the 30th Legislature, the territorial Government indicated that "the Commission's recommendations have been forwarded to the Fono, and we eagerly await their response. In preparation for a constitutional convention, we strongly encourage the people of American Samoa to examine the Commission's report, which is available at www.americansamoa.gov, and decide what they think is best for American Samoa".[9]

III. Budget

19. The budget of the Government of American Samoa consists of federal support and locally generated revenue. In the Territory's traditional communal system, leaders are responsible for the preservation of the social order as well as the economic welfare of the extended family. The federal Government underwrites most of the cost of preserving this system. This affiliation contributes to allowing the United States to have access to and use the Territory for defence and other purposes. American Samoa continues to be the only United States Territory that receives grants-in-aid, amounting to about $23 million per year, from the Department of the Interior for government operations.[10]

20. The budget of the territorial Government for the fiscal year 2008, which started on 1 October 2007, is $304 million, as approved by the Fono.[11] In January 2008, the territorial Government stated that the Territory had "ended the 2007 fiscal year in the black. ASG departments and branches worked very hard within very confined budgets this past year".[9]

IV. Economic conditions

A. General

21. American Samoa's gross domestic product (GDP) for 2005 was estimated at $333 million and per capita GDP at $5,800, which is considered a valid estimate for 2007.[12]

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[7] *Samoa News*, 16 November 2007.

[8] Ibid., 5 January 2008.

[9] State of the Territory Address, 14 January 2008.

[10] *Samoa News*, 16 November 2007.

[11] Ibid., 26 September 2007.

[12] Information provided by the administering Power, 15 January 2008; http://www.indexmundi.com/american_samoa/gdp_per_capita_(ppp).html.

22. According to the territorial Government, economic data indicated that 2007 was a time of financial hardship. Cost of living increased by 7 per cent in the fourth quarter compared to 4.4 per cent in the third quarter. This increase was mainly the result of increased fuel costs. Housing costs increased by 6 per cent owing to higher utility costs, while the cost of food increased by 10 per cent in the fourth quarter. Furthermore, according to the territorial Government, the minimum wage increased, contributing to higher prices. At the same time, a new Territorial General Plan provided the territorial Government with a consolidated economic and social development strategy for American Samoa as well as guidance for the development of all sectors of Government and the economy. Moreover, the Governor established an Economic Advisory Council to serve as a mechanism for private sector input on economic development policies, involving issues such as tax reform, immigration and business licensing.[13]

23. Over 90 per cent of American Samoa's economy is maintained by United States federal expenditures and the canning industry. Tuna fishing and processing are the backbone of the private sector. Approximately 7 per cent of the economy comprises a small tourism industry and a few businesses that sell exclusively to the local market.

24. American Samoa's largest trading partner is the United States, followed by New Zealand, Australia and Fiji. Canned tuna accounts for almost 100 per cent of exports. American Samoa imports some 90 per cent of goods and products, including food and petroleum products, machine parts, building materials, textiles and clothing.

B. Agriculture and fisheries

25. According to the territorial Government, the total value of agricultural production was a little over $58 million in 2007, with $36 million for family consumption and $22 million for commercial sales.[9]

26. Agriculture, hunting and forestry employ less than 3 per cent of the population and provide little surplus for export. The most important crops include taro, coconuts, bananas, oranges, papayas, breadfruit and yams. According to the Territory's Department of Agriculture, at present, the Territory covers 95 per cent of its food needs through imports. Prospects for agricultural development are limited owing to the small amount of land suitable for cultivation.

27. The fishing industry constitutes some 90 per cent of the Territory's private sector economy. According to a recent report, in 2006 the tuna canning industry in American Samoa provided direct employment for over 4,600 workers.[14] The future viability of the industry in the Territory continues to be seen to depend largely on tax exemptions and competitive wage scales.[15] Under the Temporary Tax Relief Act of 2007, the United States Congress provided a one-year extension of the Internal Revenue Service's 30A tax credits for American Samoa's canneries.[16]

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[13] State of the Territory Address, 14 January 2008; *Samoa News*, 5 January 2008.

[14] United States Department of Labor, "The Minimum Wage in American Samoa, 2007", May 2007, http://www.asdoc.info/DOC_Stats/EconomicReport-2007.pdf.

[15] *Samoa News*, 28 February 2007.

[16] See A/AC.109/2007/15; *Samoa News*, 30 November 2007.

C. Tourism

28. American Samoa has begun preparations to host the 2008 Pacific Arts Festival from 20 July to 2 August; to assist American Samoa in its efforts, the Office of Insular Affairs provided a grant of $339,000. The funds are to be used for personnel, travel, marketing and promotion.[1]

29. In 2007, nine cruise ships with more than 16,000 passengers and crew visited American Samoa, more than double the 2005 figure, further increasing short-term seasonal employment and opportunities for sales of local arts and handicrafts, as land-based tourism remains limited.[17] American Samoa has several hotels and motels with a total of 260 rooms in Tutuila and Manu'a.

30. According to the territorial Government, it intends to submit in 2008 a legislative proposal to make American Samoa's Tourism Department a semi-independent agency. This was expected to give the Territory's private sector a greater role in the development of local tourism.[9] As previously reported, American Samoa seeks to privatize tourism that is community responsive.

D. Transport and communications

31. There are approximately 180 kilometres of public and primary paved roads and 235 kilometres of secondary village roads in American Samoa. The highway system is generally in poor condition owing to the effects of hurricanes, the age of the roads and inadequate maintenance. According to the territorial Government, various infrastructure projects were under way at the beginning of 2008, including the resurfacing of the Avau-Airport Junction ($1.6 million); the Vatia shoreline protection project, the Aoa, Iliili, Masefau, Taputimu, Aua-Afono-Fagaitua roadworks as well as the Fagasa landslide restoration, and drainage projects (together totalling $14.5 million); and the Bay Area road project ($8.3 million).[9]

32. Pago Pago harbour is an all-weather deep-draught harbour, one of the best natural deepwater harbours in the South Pacific Ocean and is of strategic importance in the region. The main dock is 1,000 feet long, handling ships of up to a 32-foot draught. Pago Pago harbour provides the full complement of equipment and facilities and has a ship repair facility with a 3,000-ton marine railway.

33. There are four airports in the Territory situated on the islands of Tutuila, Ofu, Olosega and Ta'u. Pago Pago International Airport is owned and operated by the territorial Government. The Territory's main airport is regularly served by a number of airlines that link American Samoa with Hawaii and the United States mainland and other countries in the South Pacific. Within the Territory, Inter-Island Airways flies regularly to the islands of Ofu, Olosega and Ta'u. The International Airport's $6.8 million runway project has been recently completed.[9] The Governor has signed an agreement with the United States Federal Aviation Administration, called the Other Transaction Agreement, in order to use close to $2 million from the federal Government to build an air traffic control tower for the airport.[18]

[17] *Samoa News*, 13 December 2007.
[18] Ibid., 4 October 2007.

34. The Territory has four radio stations; a Government-owned and a privately owned television station, three privately owned newspapers and a private company offering telecommunications services. Internet access is provided by the American Samoa Telecommunications Authority, a semi-autonomous government agency.[19]

35. In early 2007, the territorial Government stated that competition in the telecommunication sector had resulted in the lowest rate for wireless communication and Internet that the Territory had ever seen.

36. The budget of the Office of Insular Affairs for fiscal year 2008 includes $3 million for the American Samoa Capital Improvement Project programme to help to develop a fibre-optic cable for American Samoa.[20]

E. Water, sanitation system and utilities

37. The American Samoa Power Authority, which is Government-owned, provides water, wastewater, solid-waste and electric services to customers on five of the seven islands. The Authority provides drinking water to 90 per cent of the Territory from 57 wells, with the remaining part being serviced by outer-village systems. According to the administrating Power, the American Samoa Power Authority continued to provide reliable and cost-effective utility services for the Territory. In 2007, the Power Authority announced a plan and timetable to improve the Bay Area's water pressure as a major focus for 2008. The plan takes into account a variety of solutions, including expanding transmission lines, adding new wells, and increasing storage capacity.[21]

V. Social conditions

A. General

38. Long before the 1700s, when the Western world first came to know of the Samoan Islands, their inhabitants practised a way of life that had been handed down through the generations for more than 2,000 years. Known as "fa'asamoa", the Samoan way of life is based on the notion of mutual respect and sharing among the "aiga" or extended families, each featuring a common allegiance to a matai, and influences every aspect of the Territory's socio-economic fabric. As mentioned in section III of the present working paper, the traditional communal system prevalent in American Samoa is considered to contribute to preserving the Territory's social cohesion and promoting economic welfare.

B. Labour and immigration

39. The Territory's unemployment rate, as previously reported (A/AC.109/2007/15), is estimated by different sources to range from 12 per cent to almost 30 per cent (2005-2006) reflecting a turn for the worse over the past half decade or

[19] http://www.malama.tv, 22 March 2007.

[20] Information provided by the administering Power, 15 January 2008; *Samoa News*, 5 January 2008.

[21] *Samoa News*, 24 November 2007.

so. As for labour force participation rates, available published statistics in 2000 estimated the figure at 52 per cent.[22] In 2006, the total labour force consisted of over 17,600 workers, about one third of whom were aliens, mostly from the Independent State of Samoa. The largest private employer was the cannery industry, which employed almost one third of the workforce. The territorial Government had approximately 5,900 persons on the payroll. The remaining workforce was employed in the secondary economy, which provided goods and services to the canneries and consists mainly of retail and service enterprises.

40. As of May 2007, hourly wages were as follows: Government employees, $2.91; fisheries, $3.26; and shipping and transportation, $4.09.[14] Wages in the Territory are set not by federal law but by the recommendation of the Special Industry Committee, appointed by the United States Department of Labor, that reviews economic conditions every two years and establishes minimum wages by industry under the Fair Labor Standards Act.

41. The next review by the Special Industry Committee was scheduled for June 2007.[23] However, on 25 May 2007, the United States President signed into law a provision that raised the American Samoa minimum wage by 50 cents for all industry classifications (Public Law 110-28), with an automatic increase, or escalator clauses, of 50 cents per hour every year until 2014. The law took effect on 24 July 2007 and, a second increase was expected to take effect approximately one year later in 2008. Furthermore, the law called for the United States Department of Labor to complete, not later than 25 January 2008, a study of the likely impact of the wage increases on the Territory. Upon the release of the study in January 2008, Congressman Faleomavaega stated that the Department's report clearly showed that automatic increases would be harmful to the economy of American Samoa.[24]

42. In June 2007, the Office of Insular Affairs awarded to the American Samoa Government a grant for $188,000 to conduct a labour pool survey. The University of Hawaii was contracted to conduct the study which was launched in July 2007. The purpose of the study is to help American Samoa and private investors to determine whether there are a sufficient number of qualified employees on island to support a call centre business or other industries. The report is expected to be completed in 2008.[1]

43. As previously reported, American Samoa has its own immigration laws, and entry conditions into the Territory by foreigners are not the same as those applicable for the United States. In 2003, a new Immigration Law of American Samoa came into force, giving the Attorney General, instead of a Government-appointed board, full authority over granting eligibility. That change allowed many individuals who reside in the Territory for a long period to acquire permanent resident status (A/AC.109/2007/15).

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[22] Report of the United States Department of Labour, 8 February 2008, http://www.dol.gov/esa/whd/AS/sec2.htm.

[23] *Samoa News*, 5 and 9 February 2007.

[24] Information provided by the administering Power, 15 January 2008; http://www.house.gov/list/press/as00_faleomavaega/dolreport.html.

C. Education

44. Education in American Samoa is compulsory from 6 to 18 years of age. The educational system is broadly based on that of the United States. There are 29 public schools, 6 private schools and 161 village schools. The American Samoa Community College offers two-year degree courses in arts and sciences and certificate programmes of proficiency in vocational and clerical skills, business and nursing and affords enrolled students scholarship and financial aid opportunities. San Diego State University offers bachelor's and master's degree programmes in Tutuila, which enable students to obtain an advanced college degree without moving from the Territory. American Samoa has a literacy rate of approximately 97 per cent.

45. During 2007, 53 teachers earned Bachelor of Arts degrees in Elementary Education and further 75 pursue their Bachelor of Arts degrees at the University of Hawaii. Moreover, 26 students were pursuing San Diego State University's Master's programme in Leadership and Counselling; a programme in accounting was offered locally in the month of January 2008 in partnership with Chaminade University of Honolulu; and a course in law enforcement was set to begin in 2008. The Territory's Department of Education developed English as well as Samoan Language Proficiency Standards as part of the Territory's educational standards. New buildings were constructed at the Tafuna High and Elementary Schools and the Nuuuli-Vocational-Technical School. In the area of trades and technology training, the Board of Higher Education reclassified the Trades and Industry Department into the Institute of Trades and Technology to enhance and prepare a workforce in the area of computer technology, automotive repair and other areas of the public and private sectors.[9]

46. On 14 January 2008, the territorial Government announced that it was sending to the Fono a proposal for a teacher reclassification bill. The Government expressed its hope and intent that teachers in the Territory would be paid fair value for the service they provided.[9]

D. Public health

47. The 2007 estimate for life expectancy in the Territory was 76 years (73 for males, 80 for females). Per 1,000 population, the annual birth rate was estimated at 22, and the annual death rate at 3. The fertility rate was estimated at three children per woman.[25]

48. According to information provided by World Health Organization (WHO), good progress has been made in American Samoa's primary health care in recent years. Water supplies and sanitation systems were well organized and maintained, and 99.9 per cent of the population had access to safe water. However, solid waste disposal was still a problem. Morbidity patterns had also changed with modernization and lifestyle changes, from infectious diseases to non-communicable diseases.[26] In order to help to tackle problems of obesity, the territorial Government's Department of Education implemented a comprehensive health programme at the elementary level to strengthen physical education. On

[25] https://www.cia.gov/library/publications/the-world-factbook/geos/aq.html.

[26] WHO Samoa Office, 13 January 2008.

25 September 2007, the Governor signed a new Public Health Law for American Samoa and the American Samoa Emergency Health Powers Act empowering the Health Department to respond to threat of avian flu, natural and man-made disasters and other emergencies that might befall the Territory, in addition to its day-to-day powers and responsibilities.[27]

49. The final report for the Coverage for All in American Samoa project was submitted to Lieutenant-Governor Sunia on 29 September 2007. The report reviewed the Territory's health-care system and informed stakeholders and policymakers about health insurance coverage options and reform initiatives to improve access to affordable health care for all residents in American Samoa.[1]

50. The main, semi-autonomous public hospital in the Territory, the Lyndon Baines Johnson Tropical Medical Center, has 150 beds and a staff of 25 physicians. The Medical Center became a smoke-free facility in November 2007. Medical, dental and pharmaceutical services in the Territory are available 24 hours a day. For serious cases, off-island treatment, including hospitalization in Hawaii, United States mainland or New Zealand is provided.[20] In December 2007, the territorial Government leadership opened the newly renovated $1.7 million paediatric clinic at the Medical Center, dedicating a federally approved ward that caters to the Territory's children.[28] According to information released by Federal Communications Commission on 19 November 2007, the Medical Center would benefit from a federal grant of more than $4 million awarded to a Hawaii consortium to build a broadband "telehealth" network, linking health-care providers in Hawaii and United States territories under a rural health-care pilot programme.[29]

E. Crime

51. The territorial Government announced that, depending on the availability of funds, the Territory's Department of Public Safety would establish another Police Academy in addition to the one completed in 2007, which provided for the first addition of officers in 10 years. The recruitment of 55 cadets brought the number of police officers in American Samoa to 170.[30]

52. Regarding judicial matters, on 19 July 2006, the Chairman of the United States House Committee on Natural Resources requested the Government Accountability Office (GAO) to conduct a comprehensive review of the judiciary system in American Samoa. A four-person GAO team visited American Samoa from 14 to 20 October 2007. They conducted interviews with Government officials and members of the business community, and held two public forums, one at the Office of Samoan Affairs and the other at the American Samoa Community College.[1] Public opinion was reportedly split on whether or not a United States federal court should be established in American Samoa. The review's findings are expected to be released later in 2008.[31]

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[27] *Samoa News*, 29 September 2007.

[28] Information provided by the administering Power on 15 January 2008; *Samoa News*, 15 December 2007.

[29] *Samoa News*, 27 November 2007.

[30] http://www.pacificmagazine.net/news/2007/07/09/american-samoa-gets-new-police-recruits.

[31] *Samoa News*, 19 October 2007 and 5 January 2008; also A/AC.109/2007/15, paras. 12 and 59.

VI. Environmental protection and disaster preparedness

53. In 2007, American Samoa saw many initiatives dedicated to the conservation and protection of the Territory's environment. Collaboration between agencies, businesses, and community groups has resulted in the development of important programmes, increased public awareness and appreciation of the Territory's natural environment. The Territory hosted the 18th United States Coral Reef Task Force meeting in August 2007. At that meeting, the Governor signed an Executive Order to control greenhouse gas emissions in order to help to tackle global warming. Also, a ban on big fish harvesting was announced, to ensure that local fisheries were given an opportunity to replenish. In addition to ensuring the quality of water and safety of waterways, for the first time the Territory secured funds specifically for hazardous material clean-up programmes.[9]

54. With regard to all-hazard emergency preparedness and security matters, the territorial Government established a local department of homeland security, as previously reported (see A/AC.109/2007/15). In 2007, the Office of the Inspector General of the United States Department of Homeland Security expressed concern to the United States Congress with regard to homeland security funding awarded to American Samoa. According to media reports, the Office of the Inspector General had "determined that the American Samoa Government's strategic plans were fundamentally flawed in that they failed to sufficiently identify deficiencies in immediate equipment and training needs and overall capabilities of the territorial Government's first responders.[32] The territorial Government acknowledged that the United States Department of Homeland Security had frozen all funds for the Territory's homeland security owing to administrative deficiencies.[9]

VII. Relations with international organizations and partners

55. American Samoa has been an associate member of the United Nations Economic and Social Commission for Asia and the Pacific since 1988. The International Labour Conventions and the International Labour Recommendations are applicable to it. The Territory belongs to various regional bodies of the United Nations system, including WHO, the Regional Office for the Western Pacific and the WHO Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies.

56. American Samoa is a member of several regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian-South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme, the South Pacific Applied Geoscience Commission and the Council of Pacific Arts. It also belongs to such United States organizations as the National and Western Governors' Conferences. The Government of American Samoa has signed memorandums of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

[32] *Samoa News*, 6 December 2007.

57. In 2006, American Samoa withdrew its application to the Pacific Islands Forum for observer status following opposition from the United States Department of State. No information on progress was reported on American Samoa joining the Forum as an associate member in 2007.[33]

VIII. Future status of the Territory

A. Position of the territorial Government

58. Section II of the present working paper reflects recent developments in American Samoa concerning its future political status.

B. Position of the administering Power

59. Most recently, in a letter dated 2 November 2006 addressed to Congressman Faleomavaega, the Assistant Secretary of State for Legislative Affairs, Jeffrey T. Bergner, elaborated the position of the United States Government on the status of American Samoa and other United States Insular Areas. In his letter, the Assistant Secretary indicated that the status of the Insular Areas regarding their political relations with the federal Government was an internal United States issue, and not one that came under the purview of the Special Committee of 24. The letter also noted that the Special Committee of 24 had no authority to alter in any way the relationship between the United States and those Territories and no mandate to engage the United States in negotiations on their status. The letter further stated that at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to the economic, social, and educational conditions, the federal Government did submit annual updates on United States Territories to the Special Committee of 24 as a demonstration of United States cooperation as an administering Power and as a corrective to any errors in information that the Special Committee of 24 might have received from other sources.[34]

C. Action by the General Assembly

60. On 17 December 2007, the General Assembly adopted, without a vote, resolutions 62/118 A and B, based on the report of the Special Committee transmitted to the General Assembly[35] and its subsequent consideration by the Special Political and Decolonization Committee (Fourth Committee) (A/62/412). Section I of resolution 62/118 B concerns American Samoa. Under that section's operative paragraphs, the General Assembly:

> 1. *Welcomes* the establishment of the Future Political Status Study Commission, which began its work in June 2006 and prepared its report in

[33] Radio New Zealand International (18 and 26 October 2006); radio Australia, http://www.abc.net/au/ra, 19 October 2006.

[34] *Samoa News*, 7 November 2006.

[35] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23).

January 2007, to study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory in facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations, and calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, in the context of its public education programme.